

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ERIC LESANE,

Plaintiff,

-against-

CORRECTION OFFICER MOYE,
CAPTAIN DENIS, COMMISSIONER
OF THE DEPARTMENT OF
CORRECTIONS,

Defendants.
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ALVIN K. HELLERSTEIN, U.S.D.J.:

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/28/09

ORDER DISMISSING CASE

07 Civ. 3226 (AKH)

The complaint in this action was filed on April 23, 2007. On February 27, 2009, a review of the Court records indicated that there was no proof of service of the summons and complaint on file. I issued an order directing the plaintiff to have the summons and complaint served on defendants Correction Officer Moye, Captain Denis, and the Commissioner of the Department of Corrections, and to file proof of such service with the Clerk of the Court by April 15, 2009.

Since the deadline has passed, no proof of service has been filed, and the plaintiff has not shown good cause for not having effected such service, the action is dismissed, with prejudice.

The Clerk shall mark the case closed.

SO ORDERED.

Dated: New York, New York
April 27, 2009


ALVIN K. HELLERSTEIN
United States District Judge